

SMITH | VILLAZOR

Smith Villazor LLP
250 West 55th Street, 30th Floor
New York, NY 10019
www.smithvillazor.com

RODNEY VILLAZOR

T 212 582 4400

D 212 377 0852

rodney.villazor@smithvillazor.com

MEMO ENDORSED

October 13, 2020

VIA ECF

Honorable Edgardo Ramos, U.S.D.J.
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007

Re: United States v. James Toner, 17 CR 569 (ER)

Dear Judge Ramos:

Defendant James Toner respectfully requests a third adjournment of his surrender date to Brooklyn MDC. He is currently scheduled to surrender on October 17, 2020 and requests an additional three months. On May 22, 2020, the Court granted defendant James Toner's first request for an adjournment (dkt. 235). On July 13, 2020, the Court granted Mr. Toner's second request for an adjournment (dkt. 244). According to documentation dated August 13, 2020 from a nurse practitioner in Manahawkin, New Jersey, Mr. Toner's spouse suffers from medical conditions. Mr. Toner advises that his wife is at home but she needs to remain on an oxygen machine. He seeks the adjournment so he can continue to care for his wife.

I have conferred with AUSA Michael McGinnis, and he has no objection.

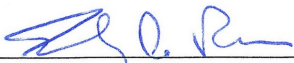
Respectfully submitted,

/s/

Rodney Villazor, Esq.
Smith Villazor LLP

Mr. Toner shall now surrender at the institution designated by the BOP on January 17, 2021. The Clerk of Court is respectfully directed to terminate the motion. Doc. 257.

So ordered.



Edgardo Ramos, U.S.D.J

Dated: 10/14/2020

New York, New York